



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: 2001-01347-YS

Issue Date: July 2, 2004

Expiration Date: August 2, 2004

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Kingston Ulster Airport
Route 32, 1161 Flatbush Road
Kingston, NY 12401

ACTIVITY: Discharge fill material into approximately 1.21 acres of waters of the United States, including wetlands, for the extension of a taxiway.

WATERWAY: Unnamed Tributary to the Hudson River

LOCATION: Town of Ulster, Ulster County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE,
otherwise, it will be presumed that there are no objections to the activity.

CENAN-OP-RW
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Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

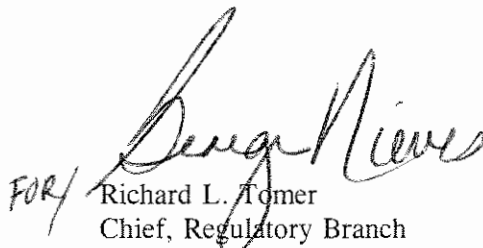
Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (212) 264-0183 and ask for Brian A. Orzel.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>


FOR/ Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, Kingston Ulster Airport, has requested Department of the Army authorization for the discharge of fill material into approximately 1.21 acres of waters of the United States, including wetlands, in association with the extension of an existing taxiway at the airport. The current taxiway does not extend fully to the northern-most extent of the existing runway, requiring aircraft to taxi on the northern portion of the runway. The site is located on New York State Route 32 in the Town of Ulster, Ulster County, New York.

Approximately 1.04 acres of the overall 1.21 acres of fill material would be new fill. Approximately 0.17 acres were previously filled as part of related runway improvements.

The applicant proposes wetland mitigation at the Burnt Swamp Restoration and Environmental Education Center, approximately 7.3 miles southwest of the airport. Approximately 0.50 acres of wetlands would be newly established, approximately 0.90 acres of existing purple loosestrife (Lythrum salicaria) dominated wetlands would be enhanced and approximately 4.3 acres of existing wetlands and buffer would be preserved as mitigation. The entire 7.3 acre site would be placed in a conservation easement to be held in perpetuity by the Lower Esopus River Watch.

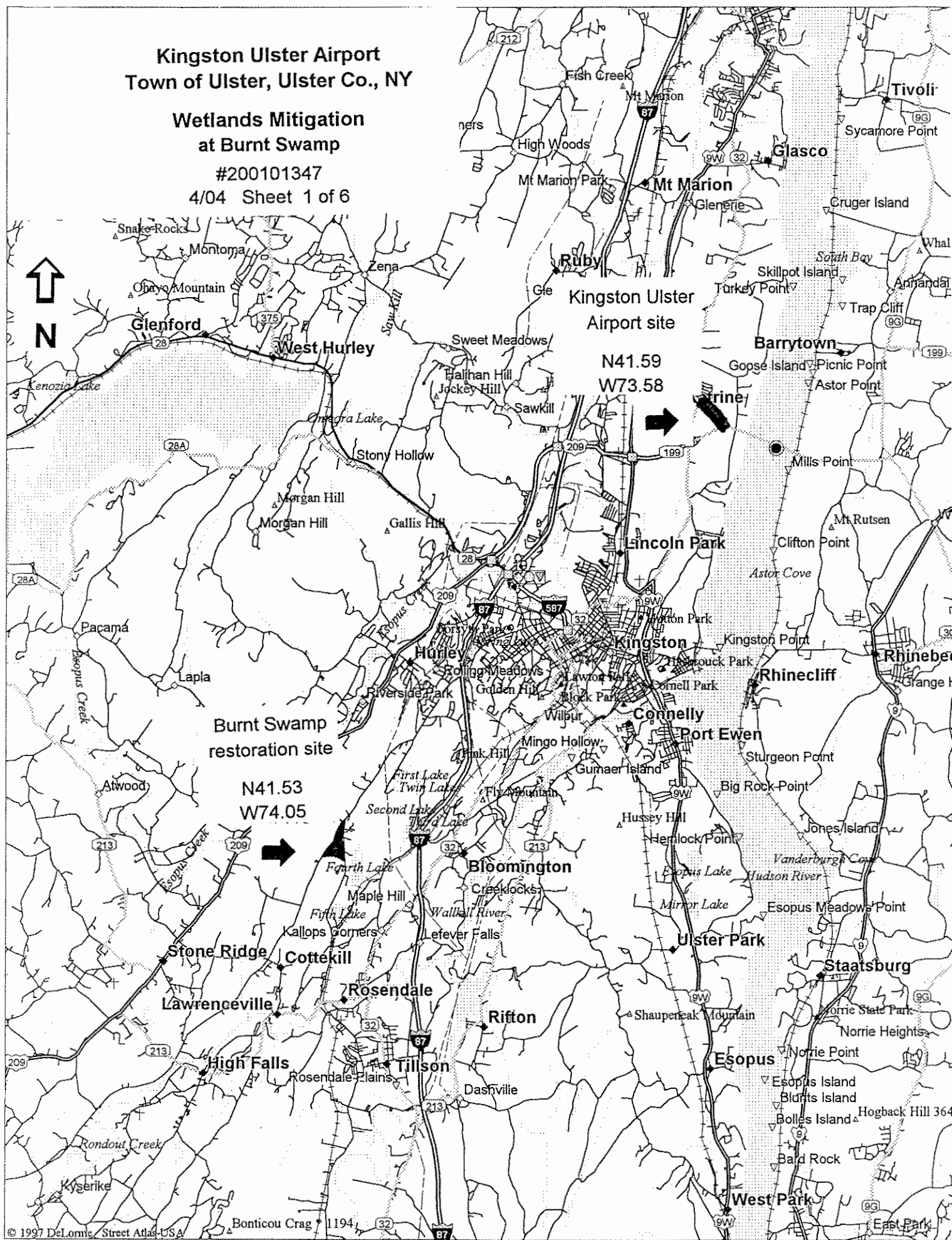
The stated purpose of the proposed work is to improve safety at the airport by removing taxiing aircraft from the northern portion of the runway.

**Kingston Ulster Airport
Town of Ulster, Ulster Co., NY**

**Wetlands Mitigation
at Burnt Swamp**

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4/04 Sheet 1 of 6

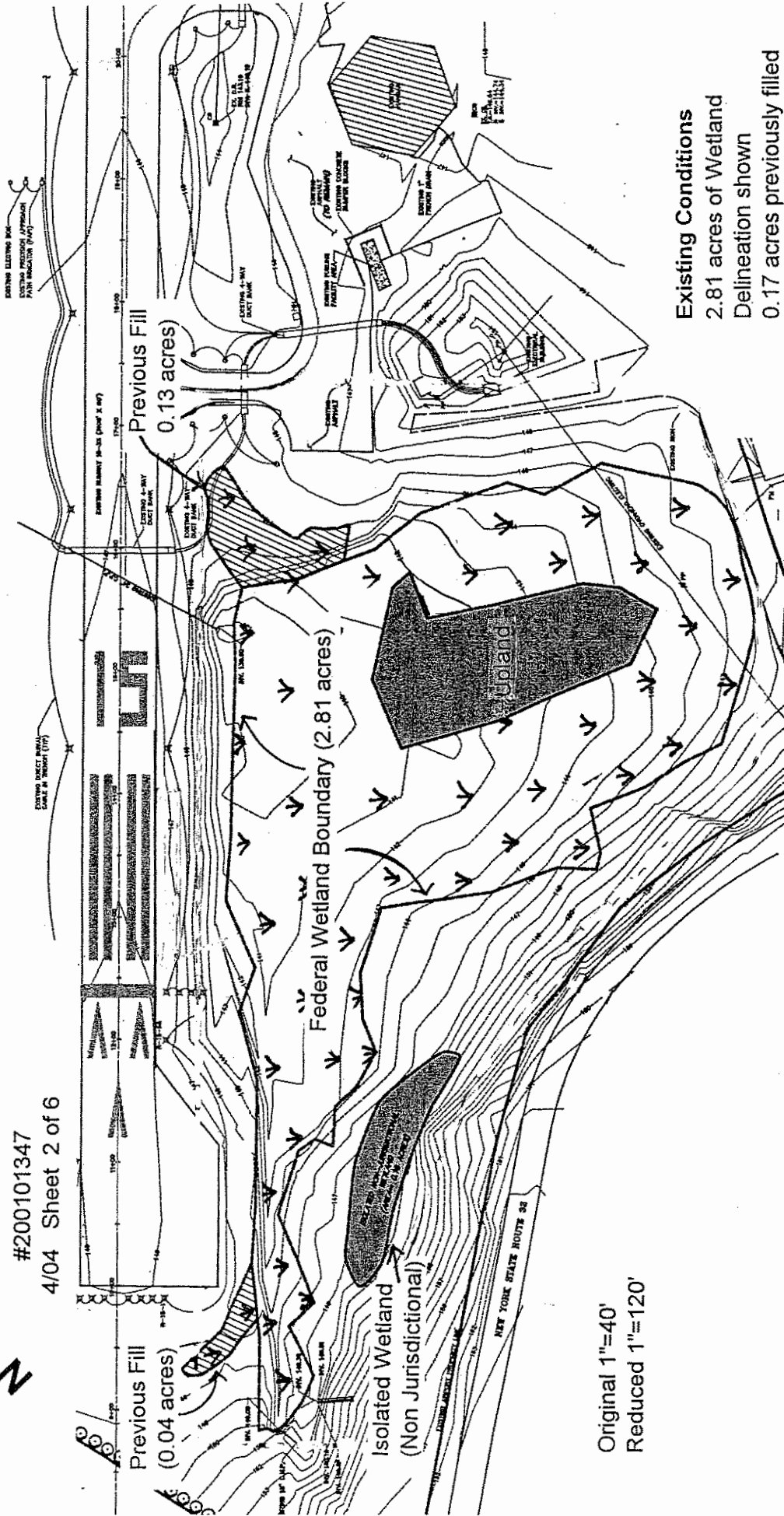
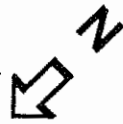


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Wetlands Mitigation at Burnt Swamp

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Original 1"=40'
Reduced 1"=120'

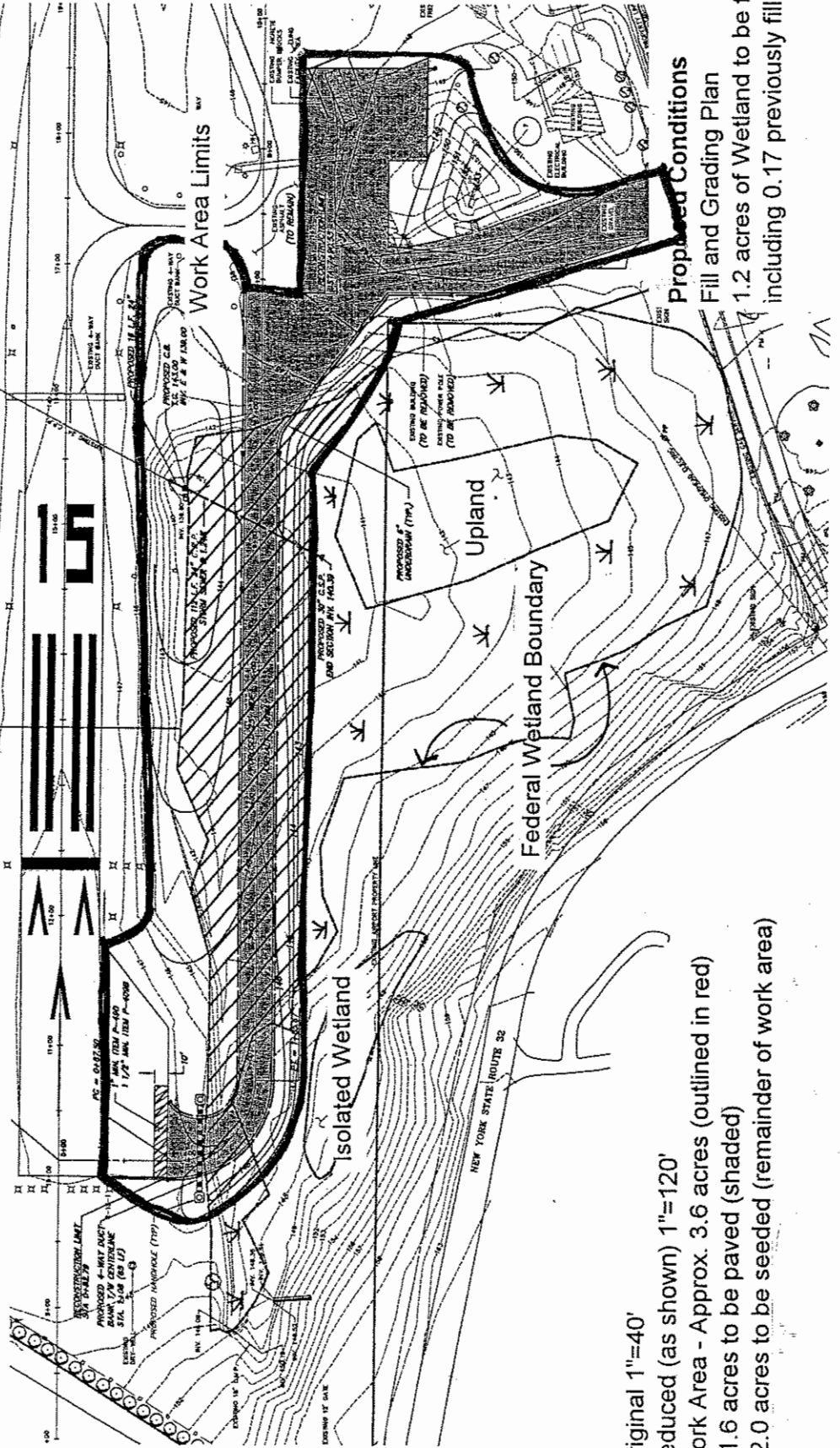
Existing Conditions
2.81 acres of Wetland
Delineation shown
0.17 acres previously filled

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Wetlands Mitigation at Burnt Swamp

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4/04 Sheet 3 of 6

Proposed Wetland Fill
1.04 acres



Proposed Conditions Fill and Grading Plan

1.2 acres of Wetland to be filled
including 0.17 previously filled

- Original 1"=40'
- Reduced (as shown) 1"=120'
- Work Area - Approx. 3.6 acres (outlined in red)
- 1.6 acres to be paved (shaded)
- 2.0 acres to be seeded (remainder of work area)

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Wetlands Mitigation
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LERW
Burnt Swamp
Restoration S

NOTES:

1. System - Palustrine
2. Class - Emergent
3. Subclass - Persistent
4. Water Regime - Non-Tidal
Seasonally Flooded/Saturated
5. Topographic survey data provided
USDA NRCS.

Cross
Section
AA

West Culvert

Well

Bench Mark

East Culvert



EXISTING

Wetland Restoration Area
(Enhancement) 0.90 acres

Eastern Red Cedar Forest

BINNEWATER ROAD

PROPOSED



Wetland Establishment Area
(shaded) 0.50 acres

West Culvert

Bench Mark

East Culvert

Well

Spring

Cross
Section
AA

Wetland Restoration Area
(Enhancement) 0.90 acres

Eastern Red Cedar Forest

BINNEWATER ROAD

Permanently Flooded - to 269.75'
Draw Down Zone
269.75' - 270' (shaded)
Long Term Saturation
270'-272'
Mid & Short Term
Saturation
272'-275'

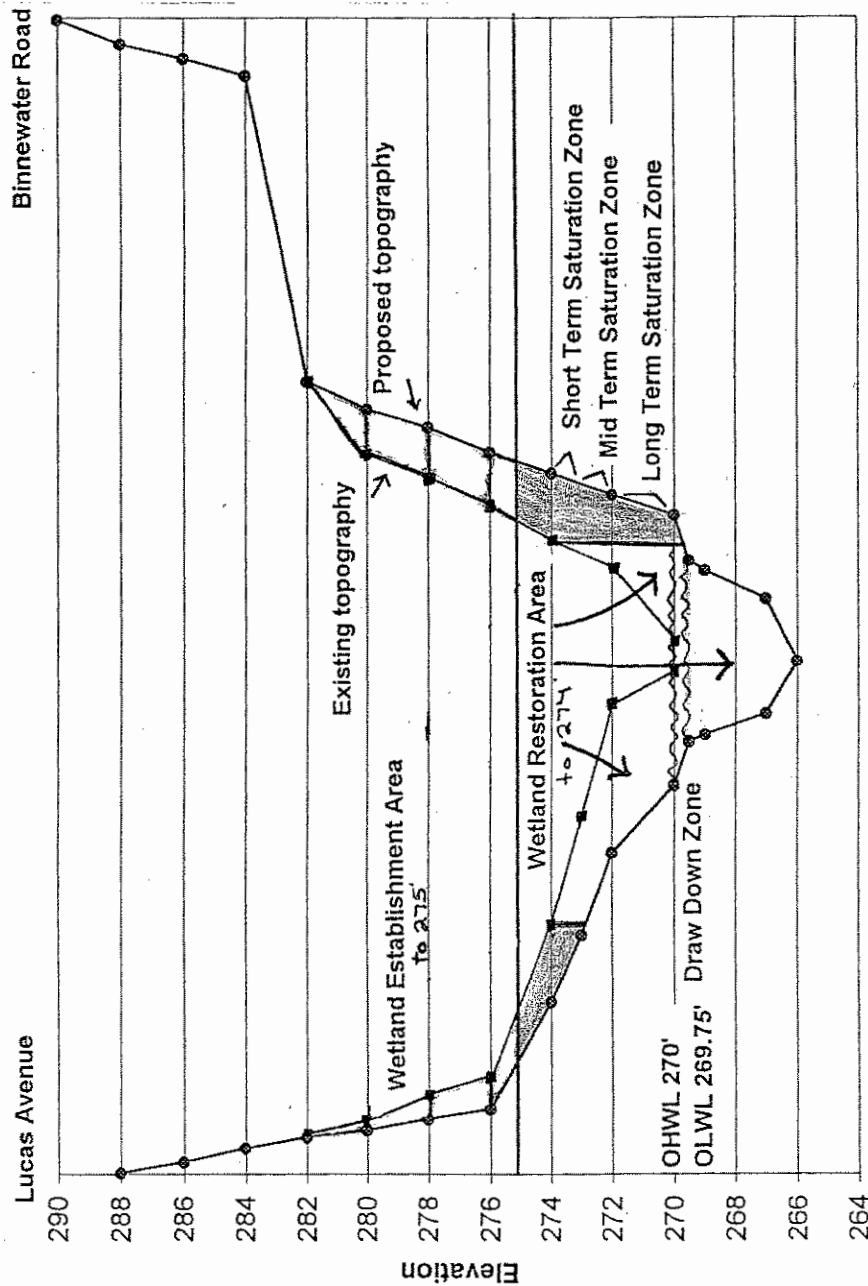
200 0 200 Feet

Wetlands Mitigation at Burnt Swamp

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Cross Section AA



Distance in feet

Naturally occurring plants selectively harvested from LERW and Ulster Co. Wetland Plant Materials Centers
Plantings - 4 to 6 plants per square yard (clustered)
(density replicates natural conditions; previous site plantings of same densities have achieved 90-100% coverage in one season)

Areas and Species to be planted

Short & Mid Term Saturation Zone + to 275'

Silky Dogwood - Cornus amomum
Red Osier Dogwood - Cornus stolonifera
Speckled Alder - Alnus rugosa
Common Alder - Alnus serrulata
Swamp Rose - Rosa palustris

Long Term Saturation Zone

New England Aster - Aster Novae-angliae
Soft Rush - Juncus effusus
Green Bullrush - Scirpus atrovirens
Rough stemmed Goldenrod - Solidago rugosa
Showy Goldenrod - Solidago speciosa
Swamp Goldenrod - Solidago uliginosa
Lance leaved Goldenrod - Solidago graminifolia
Arrow leaved Tear Thumb - Polygonum sagittatum
Common Cattail - Typha latifolia
Royal Fern - Osmunda regalis
Bristlebract Sedge - Carex tribuloides
Fringed Sedge - Carex crinita
Blue Flag Iris - Iris versicolor
Yellow Flag Iris - Iris pseudocorus

Draw Down Zone

Marsh Marigold - Caltha palustris
Sensitive Fern - Onoclea sensibilis
Common Arrowhead - sagittaria latifolia
Arrow Arum - Peltandra virginica
Pickeral Weed - Pontendria cordata
Soft Stemmed Bulrush - Scirpus validus
Blue Flag Iris - Iris versicolor
Yellow Flag Iris - Iris pseudocorus
Common Cattail - Typha latifolia
Royal Fern - Osmunda regalis

Permanently Flooded

White Water Lily - Nymphaea odorata
Yellow Water Lily - Nuphar luteum

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